

Meeting Minutes
Meeting of October 8, 2009

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, October 8, 2009, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 2:15 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Colin C. Tait
Vice Chairman
Brian Golembiewski
(designee for Commissioner Marrella)

Edward S. Wilensky
Barbara Currier Bell
Daniel P. Lynch, Jr.
James Murphy
Wayne V. Estey
(designee for Commissioner DelGobbo)
Philip T. Ashton

Staff Members Present:

S. Derek Phelps
Executive Director
Robert L. Marconi
Assistant Attorney General
Melanie Bachman
Staff Attorney
Fred Cunliffe
Siting Analyst Supervisor

Christina Walsh
Siting Analyst
Robert Mercier
Siting Analyst
David Martin
Siting Analyst
Michael Perrone
Siting Analyst

Staff Members Absent

Christina Walsh
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of September 17, 2009.

Mr. Wilensky moved to approve the minutes of September 17, 2009, seconded by Mr. Murphy. The motion passed with Mr. Ashton abstaining.

DOCKET NO. F-2009 - Connecticut Siting Council Review of the Ten-Year Forecast of Connecticut Electric Loads and Resources. Draft Report.

Mr. Ashton moved to approve the 2009 Review of the Ten Year Forecast of Connecticut Electric Loads and Resources, seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 323 - MCF Communications bg, Inc. and Omnipoint Communications, Inc. Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 12 Carpenter Road, Bolton, Connecticut. Transfer of Certificate.

Mr. Wilensky moved to remove Dockets 323, 343, 344, and 345, from the table, seconded by Mr. Murphy. The motion passed unanimously.

Mr. Murphy moved to approve the Transfer of Certificate in Docket 323, seconded by Mr. Ashton. The motion passed with Mr. Lynch abstaining.

DOCKET NO. 343 - MCF Communications bg, Inc and Omnipoint Communications, Inc. Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 237 Sandy Hollow Road, Groton, Connecticut. Transfer of Certificate.

DOCKET NO. 344 - MCF Communications bg, Inc and Omnipoint Communications, Inc. Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at Rich Road, Thompson, Connecticut. Transfer of Certificate.

DOCKET NO. 345 - MCF Communications bg, Inc. and Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off Exeter Drive in Sterling, Connecticut. Transfer of Certificate.

Mr. Ashton moved to approve the Transfer of Certificates in Dockets 343, 344, and 345, seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 346 - Implementation of Section 8 and Section 54 of Public Act No. 07-242 An Act Concerning Electricity and Energy Efficiency. Draft White Paper.

Mr. Murphy moved to remove this item from the table, seconded by Mr. Ashton. The motion passed unanimously.

Mr. Murphy moved to approve the White Paper, thus concluding the Council's requirements set forth in Section 8 and Section 54 of Public Act No. 07-242. The motion was seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 358 - MCF Communications bg, Inc. and Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 347 Riverside Drive (Route 12), Thompson, Connecticut. Development and Management Plan.

Mr. Lynch moved to approve the "As Built Survey" as a Development and Management Plan and enforceable instrument, seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 370 - Consolidated proceeding pursuant to the Connecticut Energy Advisory Board (CEAB) Request for Proposal (RFP) process under C.G.S. §16a-7c. Original application: The Connecticut Light & Power Company application for Certificates of Environmental Compatibility and Public Need for the Connecticut Valley Electric Transmission Reliability Projects which consist of (1) The Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby, and Suffield, or potentially including an alternate portion that traverses the municipalities of Suffield and Enfield, terminating at the North Bloomfield Substation; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut. Competing application: NRG Energy, Inc. application pursuant to C.G.S. §16-50(a)(3) for consideration of a 530 MW combined cycle generating plant in Meriden, Connecticut. NRG's Request to Reserve the Right to Submit Interrogatories. Scheduling Matters. Requests to Submit Additional Testimony and Interrogatories.

Mr. Tait moved to approve NRG's request to reserve the right to submit interrogatories, seconded by Mr. Ashton. The motion passed with Mr. Lynch abstaining.

Mr. Tait moved to approve the scheduling of the upcoming hearings, seconded by Mr. Ashton. The motion passed with Mr. Lynch abstaining.

Mr. Murphy moved to approve CAOPLC to submit additional testimony and interrogatories, seconded by Mr. Ashton. The motion passed with Dr. Bell and Mr. Lynch abstaining.

DOCKET NO. 373 - New Cingular Wireless PCS, LLC (AT&T) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at the St. Matthew Lutheran Church, 224 Lovely Street, Avon, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

Dr. Bell moved to approve the Draft Findings of Fact, Opinion, and Decision and Order; seconded by Mr. Murphy. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Ashton, Mr. Tait, Mr. Lynch, Mr. Estey, Mr. Golembiewski, and Chairman Caruso in favor of granting a Certificate for the proposed telecommunications facility.

DOCKET NO. 379 - SBA Tower II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 12 Burr Road, Bloomfield, Connecticut. Draft Findings of Fact, Opinion and Decision and Order.

Mr. Ashton moved to approve the Draft Findings of Fact, Opinion, and Decision and Order; as amended, seconded by Mr. Murphy. The motion passed with Mr. Golembiewski voting no and Mr. Estey abstaining.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Ashton, Mr. Tait, Mr. Lynch, and Chairman Caruso in favor of granting a Certificate for the proposed telecommunications facility. Mr. Golembiewski was opposed to granting a Certificate and Mr. Estey abstained.

DOCKET NO. 386 - T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 123 Pine Orchard Road, Branford, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Lynch moved to approve the application as complete and approve the schedule for processing the docket as per staff recommendations, the appointment of Lisa Fontaine as custodian of the docket, the deposition of the transcript in the Town of Branford, and a public field review and hearing in Branford on Tuesday, December 15, 2009; seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Murphy moved to approve New Cingular Wireless PCS, LLC as an intervenor in this proceeding, seconded by Mr. Lynch. The motion passed unanimously.

PETITION NO. 794 - Clearview Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 29.0 MW Mixed Biomass Generating Project located at the Kofkoff Egg Farm, Bozrah, Connecticut. Decision.

The Council acknowledged that Petition was withdrawn by Clearview and the Council declares this is not a pending matter before this agency.

No action was taken on this item.

PETITION NO. 916 - New Cingular Wireless PCS, LLC petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is Required for the Ten Foot extension of an existing telecommunications facility located at 150 Lost Acres Road, North Granby, Connecticut. Decision.

Mr. Tait moved to approve this petition, seconded by Mr. Murphy. The motion passed unanimously.

TS-METROPCS-117-090924 - MetroPCS New York, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 100 Old Redding Lane, Redding, Connecticut.

Mr. Ashton moved to approve this tower sharing request with the following conditions:

- The coax shall be installed per page 2 of the structural analysis report dated June 29, 2009 and sealed by Raphael Mohamed, P.E.; and
- Not more than 45 days after completion of construction, the Council shall be notified in writing that the coax was installed as specified.

The motion was seconded by Dr. Bell. The motion passed unanimously.

FY2011 Budget.

Mr. Murphy moved to table this item, seconded by Mr. Lynch. The motion passed unanimously.

Administrative Matters.

Mr. Phelps announced that the next energy/telecommunications meeting is scheduled for Thursday, October 22, 2009, at 2:00 p.m., at CCSU ITBD. Other calendar dates were also discussed. Mr. Marconi updated the Council on pending litigation.

Adjournment.

Mr. Ashton moved to adjourn the meeting at 3:45 p.m.; seconded by Mr. Murphy. The motion passed unanimously.

Respectfully submitted,

**Daniel F. Caruso
Chairman**

DFC/cm